

IN RE: PETITION FOR ADMINISTRATIVE VARIANCE
ZONING VARIANCE
S/S Gent Road, 740 ft. E of
Knox Avenue
13014 Gent Road
8th Election District
3rd Councilmanic District
Lawrence W. Krastel, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 94-117-AA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a detached garage with a setback of 34 ft., in lieu of the required 50 ft., and to amend the Final Development Plan of Gent Farms for lot No. 6, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County, this 2nd day of November, 1993, that the Petition for a Zoning Variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a detached garage with a setback of 34 ft., in lieu of the required 50 ft., and to amend the Final Development Plan of Gent Farms for lot No. 6, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
3. The relief granted herein is conditioned upon the Petitioners relocating the existing drainage swale as shown on Petitioners' Exhibit No. 1A.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

November 1, 1993

Mr. and Mrs. Lawrence W. Krastel
13014 Gent Road
Reisterstown, Maryland 21136

RE: Petition for Administrative Variance
Case No. 94-117-AA
Property: 13014 Gent Road

Dear Mr. and Mrs. Krastel:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmn
encl.

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County for the property located at 13014 Gent Rd. 94-117-AA

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property, hereby petition the Zoning Commissioner for a variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a detached garage with a setback of 34 ft., in lieu of the required 50 ft., and to amend the Final Development Plan of Gent Farms for lot No. 6, as more particularly described on Petitioners' Exhibit No. 1. The undersigned hereby certifies that the information provided herein is true and correct to the best of his/her knowledge and belief.

518 AFFIDAVIT

Property is to be posted and advertised as prescribed by Zoning Regulations. I, the undersigned, agree to pay expenses of notice for and advertising printing and posting of this petition, and further agree to be bound by the zoning regulations and restrictions of Baltimore County which shall be in effect at the time of the hearing.

Correct Petitioner Name: Lawrence Walter Krastel
Type of Petition: Variance
Signature: Lawrence Walter Krastel
Address: 13014 Gent Rd. 21136
City: Reisterstown MD 21136
Phone: 410-252-1732
Name of Petitioner: Jane Cecelia Krastel
Signature: Jane C Krastel
Address: 13014 Gent Rd. 21136
City: Reisterstown MD 21136
Phone: 410-252-1732
Name of Petitioner: Jane C Krastel
Signature: Jane C Krastel
Address: 13014 Gent Rd. 21136
City: Reisterstown MD 21136
Phone: 410-252-1732

A Public Hearing having been requested and/or held as required, it is ordered by the Zoning Commissioner of Baltimore County that the subject matter of this petition be and is hereby granted, in accordance with the zoning regulations and restrictions of Baltimore County which shall be in effect at the time of the hearing.

RECEIVED BY: [Signature] DATE: 9/14/93
FORWARD POSTING DATE: 10/3/93
ITEM # 126

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that the Affiant(s) are competent to testify thereto in the event that a public hearing is scheduled in the future with regard to this matter.

That the Affiant(s) do(es) presently reside at 13014 Gent Road, Reisterstown, MD 21136.

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (include variance or personal difficulty)
According to Gent Farms restrictions, any attached building must be 50 feet from the property line. We would like to build a three car garage to house our existing cars. Currently, we have only a single car garage which creates parking problems surrounding our home. After exploring different ideas on location, this seems to be the best solution. This location is 30 feet from the property line which is thickly wooded.

Lawrence W. Krastel
Jane C. Krastel
Lawrence W. Krastel
Jane C. Krastel

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 15 day of Sept, 1993, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Lawrence W. Krastel and Jane C. Krastel

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath to the truth of the matters and facts hereinabove set forth as true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

9-15-93

My Commission Expires: 11-1-94

126
94-117-AA
Beginning at a point on the south side of Gent Road approximately 740' more or less west of the Knox Avenue and known as lot 6 on shown on the plat of Gent Farms which plat is recorded among the land records of Baltimore County in plat book 475, folio 59. Also known as 13014 Gent Road and containing 3.975 acres; the lot is located in the 8th election district of Baltimore County.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: P-1
Posted for: Variance
Petitioner: Lawrence & Jane Krastel
Location of property: 13014 Gent Rd., 8th, 2nd Election Dist.
Location of Sign: Property is on property to be posted
Remarks: [Signature]
Posted by: [Signature]
Number of Signs: 1
Date of Posting: 9/14/93
Date of return: 10/3/93

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 126
Petitioner: SAME
Location: [Signature]
PLEASE FORWARD ADVERTISING BILL TO:
Name: Lawrence W. Krastel
Address: 13014 Gent Road
Reisterstown, Maryland 21136
Phone Number: 252-1732

8/19/93 (Revised 04/09/93)

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

October 6, 1993

Mr. and Mrs. Lawrence M. Krastel
13014 Gent Road
Reisterstown, Maryland 21136

RE: Case No. 94-117-A, Item No. 126
Petitioner: Lawrence M. Krastel, et ux
Petition for Administrative Variance

Dear Mr. and Mrs. Krastel:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on September 16, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

SHA
Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

9-22-93

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: BALTC. CO.
Item No. # 126 (JLL)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Bob Small
John Contestabile, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2268 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-8717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: September 30, 1993

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 97, 106, 117, 118, 120, 124, 126, 127 and 128.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey M. Long

Division Chief: Gary L. Kern

PK/JLL:lw

ZAC.97/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

October 5, 1993

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: J. Lawrence Wilson, DEPRM
Development Coordinator, DEPRM

SUBJECT: Zoning Item #126 - Krastel Property
13014 Gent Road
Zoning Advisory Committee Meeting of September 27, 1993

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

An existing drainage and utility easement runs through the proposed garage location. See 1st Amended Final Development Plan of Gent Farms, May 1981.

JLP:TE:sp

KRASTEL/DEPRM/TATSBP

Baltimore County Government
Department of Permits and Licenses

111 West Chesapeake Avenue
Towson, MD 21204

SEPTEMBER 28, 1993

(410) 887-3610

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

ZONING AGENDA - MEETING OF SEPTEMBER 27, 1993

RE: Property Owner: Clarence Cox
Location: #2929 Eastern Boulevard
Item No.: #113 (MUK)
No Comments.

RE: Property Owner: Jacqueline Lois LeConte
Location: #3 St. Timothy's Lane
Item No.: # 118 (RT)
1. Fire hydrants for the referenced property are required and shall be located at intervals of 750 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
Sprinklers shall be installed in accordance with MD State Code, State Bill #658.

RE: Property Owner: Eva M. Nolan & Nicholas J. Nolan
Location: #4342 Penn Avenue
Item No.: #119 (RT)
No Comments.

RE: Property Owner: Dorothy M. Beaman
Location: #1402 Edmondson Avenue
Item No.: # 120 (JCM)
No Comments.

RE: Property Owner: Melvin Gladney and Parmie Gladney
Location: #6734 Dogwood Road
Item No.: 121 (JCM)
No Comments.

RE: Property Owner: Sandra Andrejak
Location: NE/S Stemmers Run Road & #613 (Norris Lane - Kenwood's)
Item No.: #122 (WCR) & 123 (WCR)
No Comments.

RE: Property Owner: William Hirschfeld and Loretta Hirschfeld
Location: #15 Merry Hill Court
Item No.: 124 (JLL)
No Comments.

Printed with Recycled Ink
on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Lawrence and Jane Krastel
13014 Gent Road
Reisterstown, Maryland 21136

Re: CASE NUMBER: 94-117-AA (Item 126)
13014 Gent Road
S/S Gent Road, 740' E of Knox Avenue
8th Election District - 3rd Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before October 3, 1993. The closing date (October 18, 1993) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

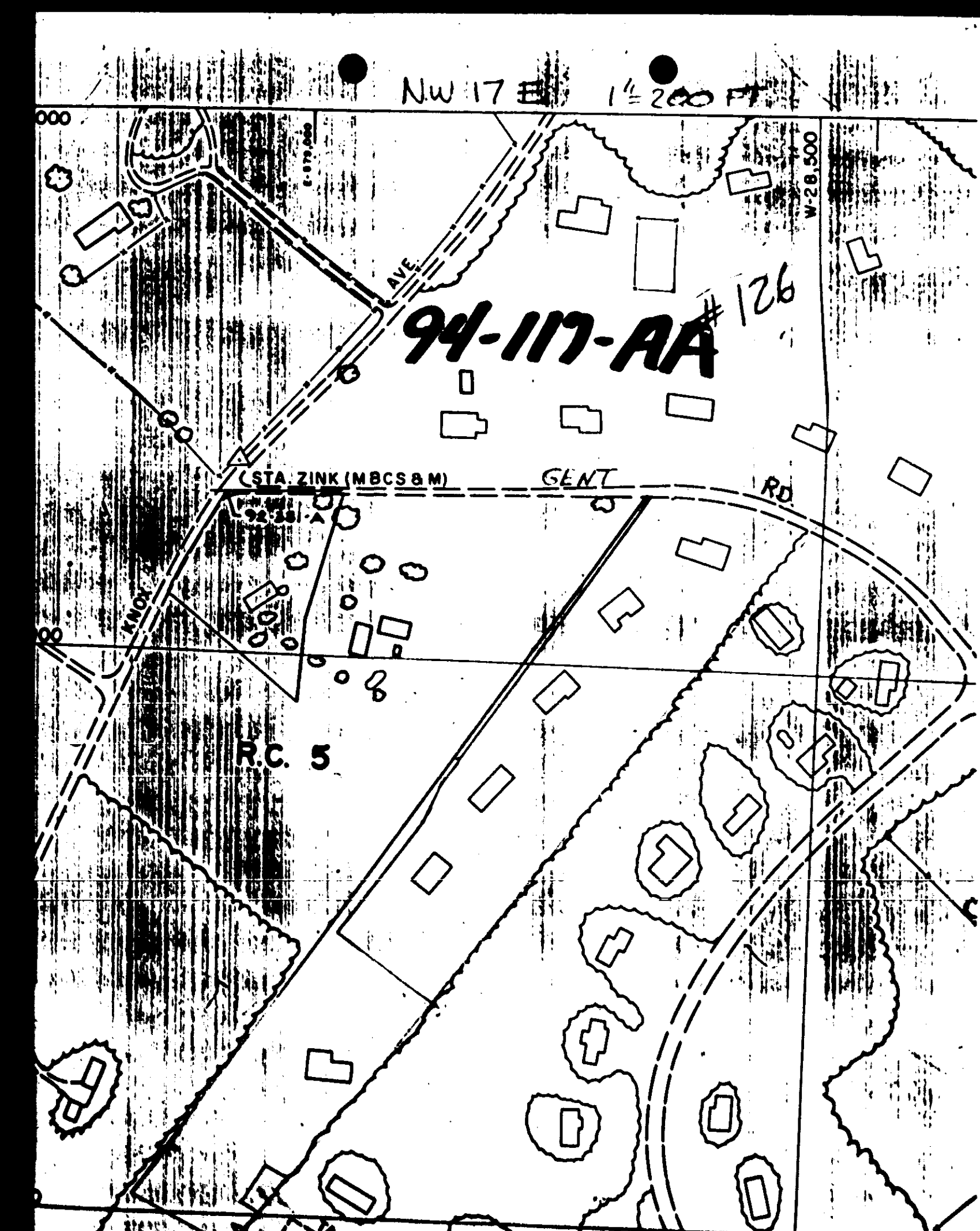
2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

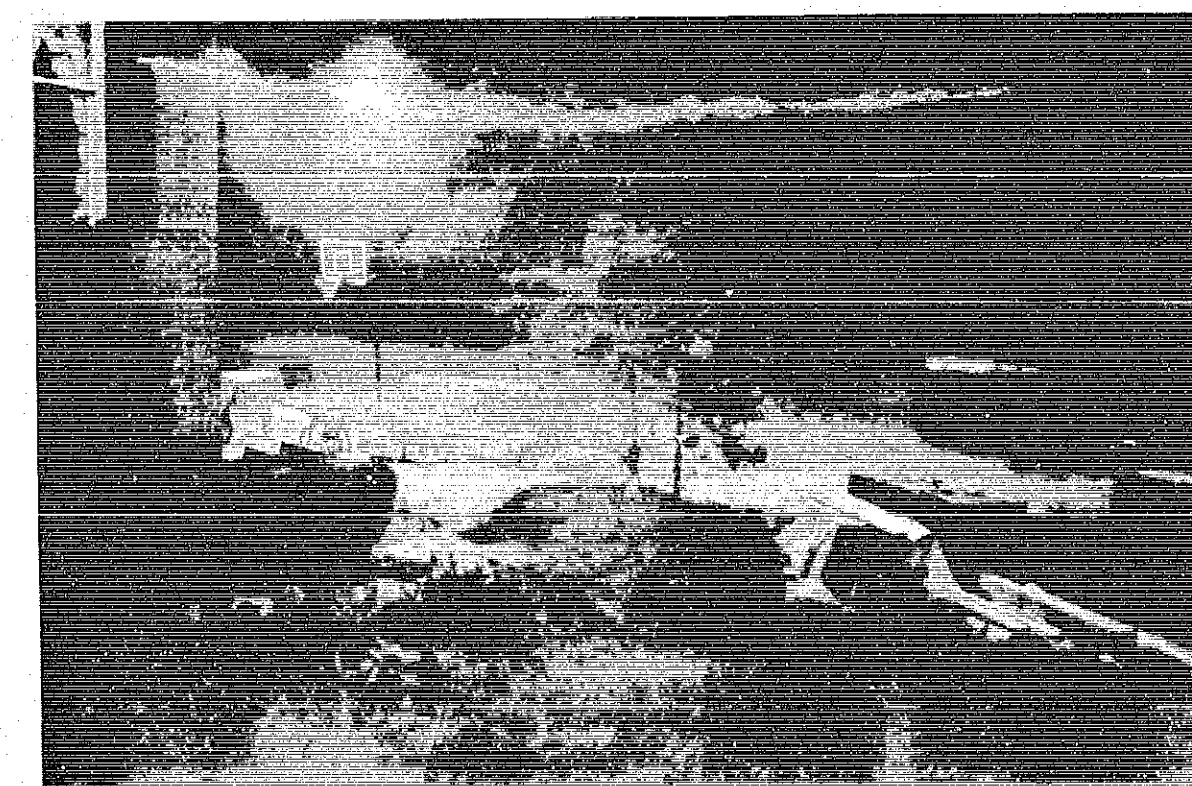
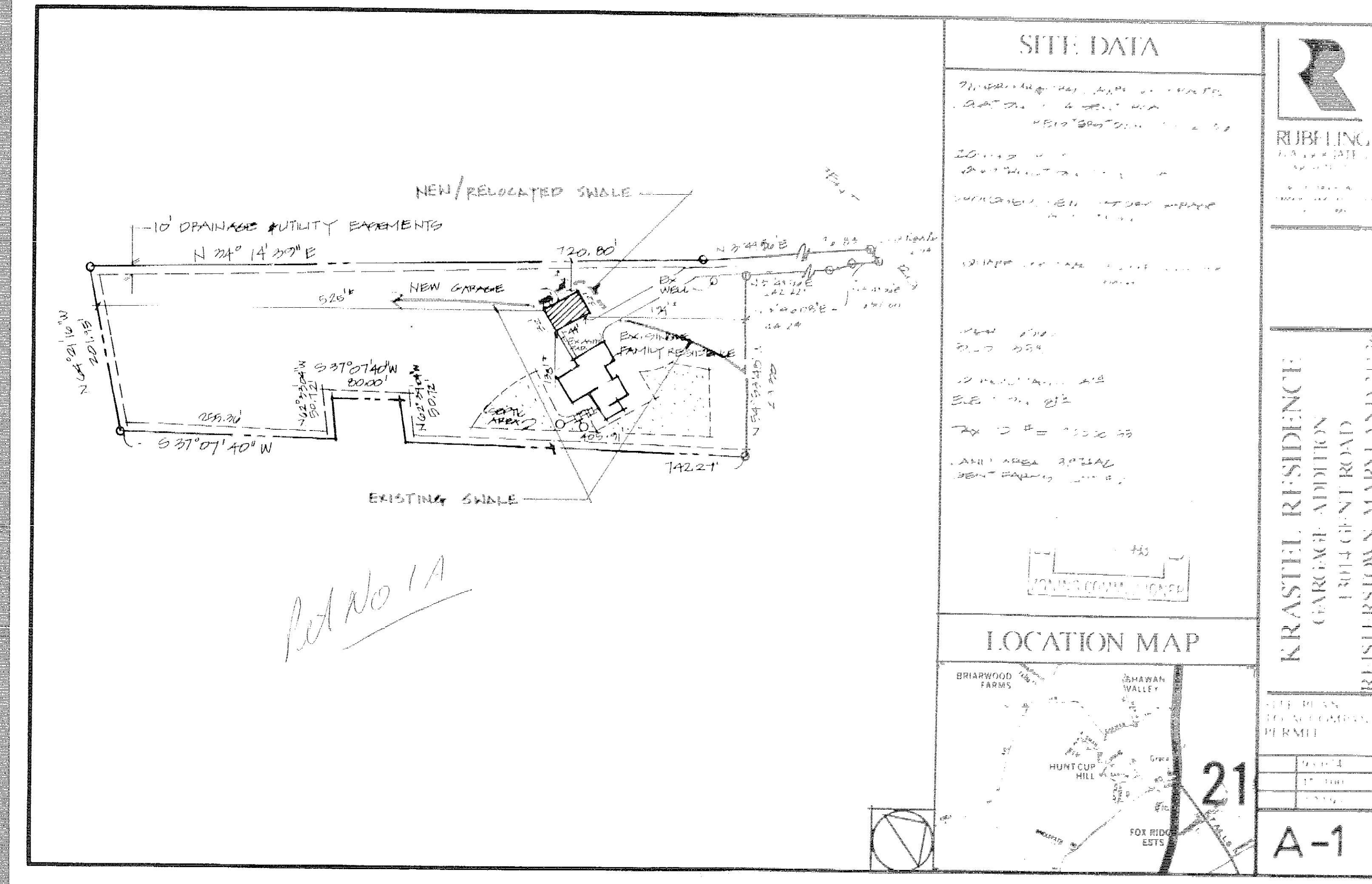
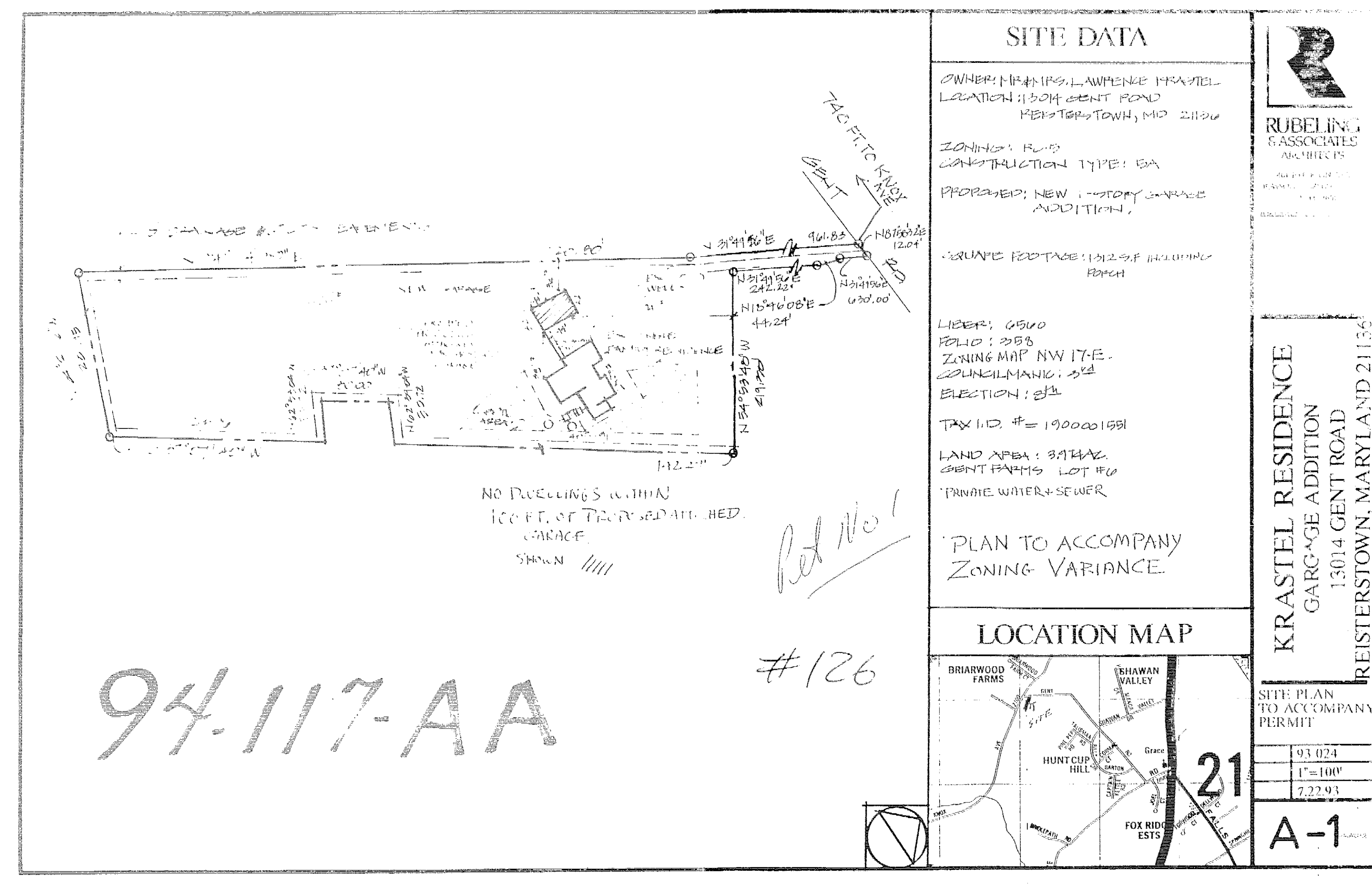
3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

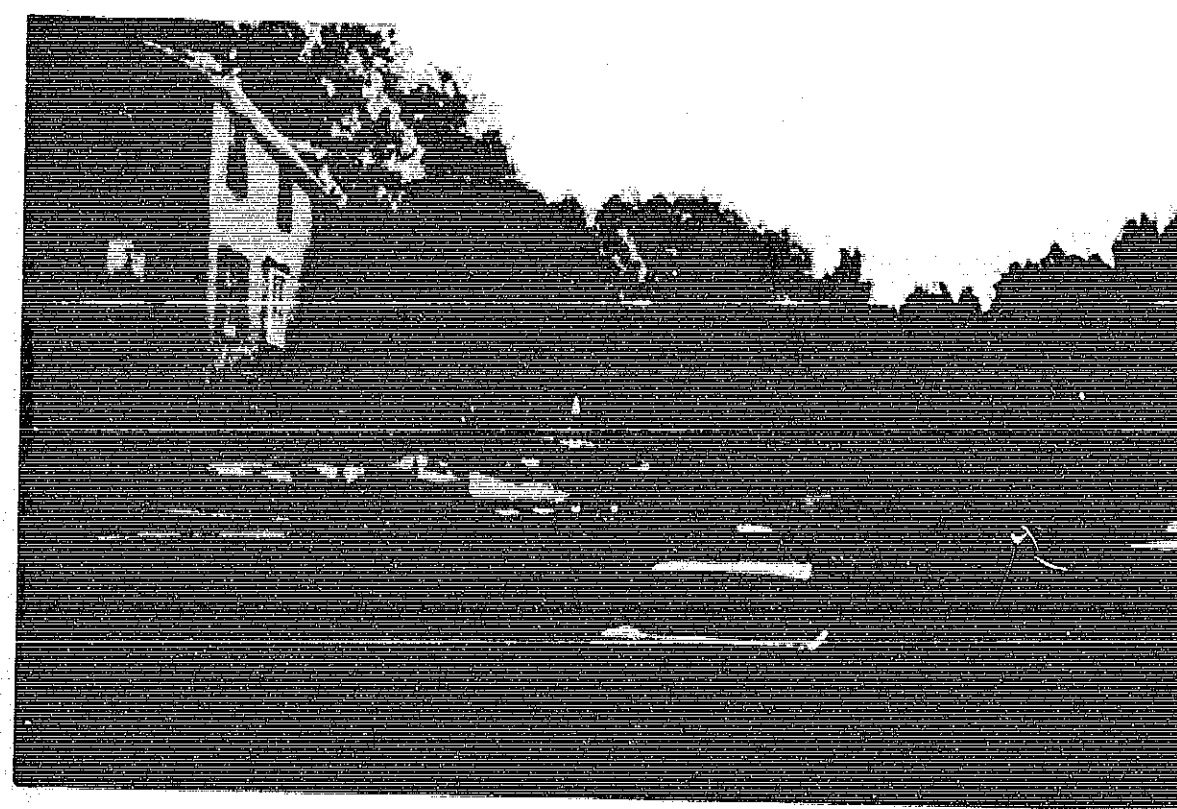
Arnold Jablon
Director

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on Recycled Paper





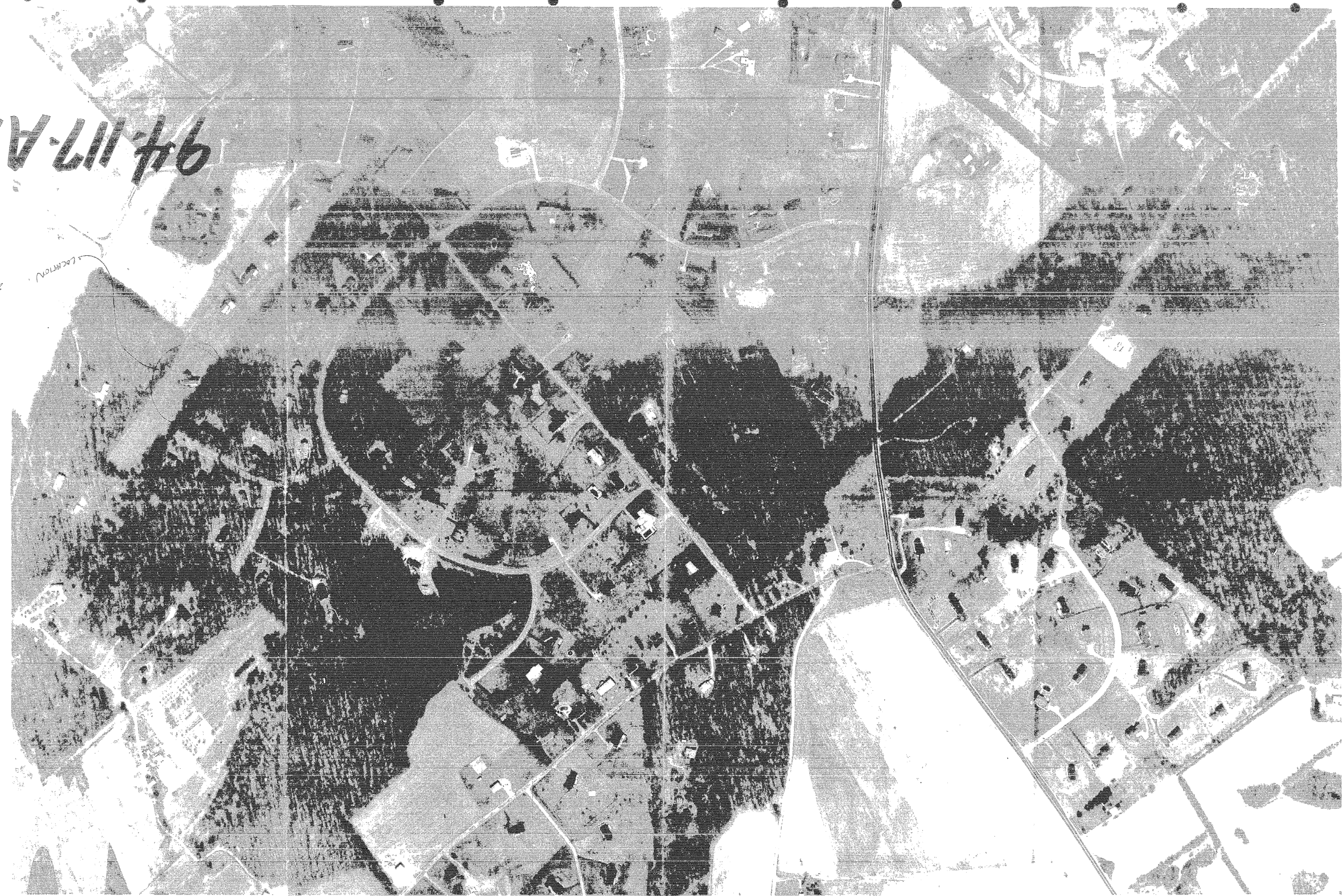
94-117-AA



94-117-AA

94.117.AA

#126



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY
MARTINSBURG

OGRAPHICS, INC.
01

SCALE	LOCATION	SHEET
1" = 200' ±		
DATE OF PHOTOGRAPHY JANUARY 1986	GRACE CHURCH	NW 17-E